Defendant. :

On January 19, 2023, Darondae Ramseur ("Defendant") was sentenced principally to a term of imprisonment of 37 months. (Doc. 41).

On December 22, 2023, a Supplemental Presentence Report was issued, which, *inter alia*, determined that Amendment 821 reduced the Guidelines range applicable in this case from the previously applicable range of 37 to 46 months' imprisonment, to a Guidelines range of 30 to 37 months' imprisonment. (Doc. 45).

On January 3, 2024, the Court granted Defendant's request for reappointment of CJA counsel to pursue a motion for a sentence reduction based on Amendment 821 to the Sentencing Guidelines. (Doc. 47).

On January 12, 2024, defense counsel moved for a reduction of sentence. (Doc. 48). The Government responded on February 8, 2024, setting forth its position that Defendant's motion should be granted. (Doc. 50). The parties agree that Defendant is eligible for a sentence reduction under Amendment 821, and that his Guidelines range would now be 30 to 37 months' imprisonment, based on an offense level of 17 and a criminal history category of III. The parties further agree that consistent with the Court's comments at the time of the original sentence, and in light of Defendant's post-sentencing conduct, the Court should resentence the Defendant to the bottom of the amended Guidelines range.

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The Court finds that Defendant is eligible for a sentence reduction and adopts the above

calculations as to the Defendant's Guidelines range.

Having considered the record in this case, the parties' arguments, the relevant Guidelines

policy statements, and the factors set forth in 18 U.S.C. § 3553(a), it is

ORDERED that the Defendant's term of imprisonment is reduced to 30 months'

imprisonment. All other components of the sentence remain as originally imposed.

SO ORDERED.

Dated: White Plains, New York

February 9, 2024

PHILIP M. HALPERN

United States District Judge

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